

REMARKS

The office action of October 9, 2003, has been carefully considered.

It is noted that claims 24-28 and 30-33 are rejected under 35 U.S.C. 103(a) over the patent to Elsner et al. in view of the patent to Meares.

Claims 29 and 34 are rejected under 35 U.S.C. 103(a) over Elsner et al. or Meares, and further in view of the patent to Scheffer et al.

In view of the Examiner's rejections of the claims applicant has canceled claims 24-34, and added new claims 35 and 36.

It is respectfully submitted that the cited references do not teach, either alone or in combination, the high-speed shear recited in the claims now on file. The references do not teach a shear having a knife drum with an unyieldingly supported knife, which knife drum is mounted on a link. The knife drum with the yieldingly held link, which cooperates with the adjusting device, is supported against a spring element with a predeterminable restoring force. This is also not shown in the references.

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In view of these considerations it is respectfully submitted that the rejections of claims 24-34 under 35 U.S.C. 103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on February 6, 2004.

By: *F. Kueffner*

Friedrich Kueffner

Date: February 6, 2004